

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S) : Lyle Theisen
SERIAL NO. : 09/843,219
FILED : April 26, 2001
PATENT NO. : 7,022,331
ISSUED : April 4, 2006
TITLE : THERMOCHROMIC/PHOTOCHROMIC COSMETIC COMPOSITIONS
Group/A.U. : 1617
Conf. No. : 8367
Examiner : Gina C. Yu
Docket No. : P04822US0

Mail Stop - Box M
Attn: Maintenance Fee Department
Fax: (571) 273-6500
Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

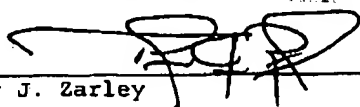
LETTER TO MAINTENANCE FEE DEPARTMENT

The above referenced patent was originally filed by a sole inventor as a small entity. All documents we have filed where an entity status had to be identified we submitted the patent application as a small entity. The Patent Office issued a Notice of Allowance on September 22, 2005 and incorrectly entered the entity status not as a small entity and our new bookkeeper at the time did not catch the error and paid the

Certificate of Facsimile Transmission

I hereby certify that this correspondence is being transmitted to the United States Patent and Trademark Office via Facsimile to the Maintenance Fee Department on this 15th day of September, 2009.

-1400.00 09


Timothy J. Zarley

61224060 860205 1400 10000000 1022/12/60
P24R60 860205 10000000 773008 6022/12/60

Repln. Ref: 09/21/2009 BPowell 0019484200
 CHG:592096 Name/Number:95843219
 FC: 9204 \$1400.00 CR

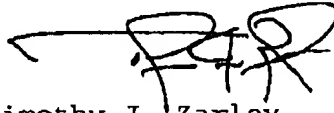
Application No. 09/843,219

Attorney Docket No. P04822US0

issue fee of \$1,700.00 as a large entity instead of the \$1,000.00 actually due for a small entity. (See attached documents).

We have tried to pay the Maintenance Fee online which is due by October 4, 2009 and have been unsuccessful at changing the entity status. Please change your records from the status of large entity to a small entity for this patent and credit our Deposit Account \$700.00.

Respectfully submitted,



Timothy J. Zarley
Reg. No. 45,253
ZARLEY LAW FIRM, P.L.C
Capital Square
400 Locust Street, Suite 200
Des Moines, IA 50309-2350
Phone No. (515) 558-0200
Fax No. (515) 558-7790
Customer No. 34082
Attorneys of Record

- JLH/bjs -

04-27-01

A

04/26/01

Please type a plus sign (+) inside this box → ☐

Approved for use through 10/31/2002. OMB 0551-0032
 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
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UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

PTO/SB/05 (11-00)
 Attorney Docket No. P04822US0
 First Inventor THEISEN, LYLE
 Title THERMOCHROMIC/PHOTOCHROMIC COSMETIC
 Express Mail Label No. EL 745290868

11036 U.S. PTO
 09/043219

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)
2. ☒ Applicant claims small entity status.
See 37 CFR 1.27.
3. ☒ Specification [Total Pages 24]
(preferred arrangement set forth below)
 - Descriptive title of the invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
4. ☐ Drawing(s) (35 U.S.C. 113) [Total Sheets]
5. ☐ Oath or Declaration [Total Pages]
 - a. ☒ Newly executed (original or copy)
 - b. ☐ Copy from a prior application (37 CFR 1.63(d))
(for continuation/divisional with Box 18 completed)
 - c. ☐ DELETION OF INVENTOR(S)
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. ☒ Application Data Sheet. See 37 CFR 1.76

ADDRESS TO: Assistant Commissioner for Patents
 Box Patent Application
 Washington, DC 20231

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
 - a. ☐ Computer Readable Form (CRF)
 - b. Specification Sequence Listing on:
 - i. ☐ CD-ROM or CD-R (2 copies); or
 - ii. ☐ paper
 - c. ☐ Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement [] Power of Attorney
(when there is an assignee)
11. ☐ English Translation Document (if applicable)
12. ☒ Information Disclosure Statement (IDS)/PTO-1449 [] Copies of IDS Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)
(if foreign priority is claimed)
16. ☐ Request and Certification under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17. ☐ Other:

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP)

of prior application No. _____

Prior application Information:

Examiner _____

Group Art Unit _____

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

☒ Customer Number or Bar Code Label

22885
 (Insert Return No. or Att. No. or Bar Code Label Here)

or ☐ Correspondence address below

Name

Address

City

State

Zip Code

Country

Telephone

515-288-3667

Fax

515-288-1338

Name (Print/Type)

Wendy K. Marsh

Registration No. (Attorney/Agent)

39,705

Signature

Wendy K. Marsh

Date

4/26/01

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

Express Label No. EL 745290868 US

PTO/5B/17 (11-00)

Approved for use through 10/31/2002. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**FEE TRANSMITTAL
for FY 2001**

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$)

395.00

Complete if Known

Application Number	
Filing Date	
First Named Inventor	THEISEN, LYLE
Examiner Name	
Group Art Unit	
Attorney Docket No.	P04822US0

METHOD OF PAYMENT

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number **26-0084**
Deposit Account Name **Zarley, McKee, Thomas, Voorhees & Sease**

- ☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17
☒ Applicant claims small entity status. See 37 CFR 1.27

2. ☒ Payment Enclosed:

☒ Check ☐ Credit card ☐ Money Order ☐ Other

FEE CALCULATION**1. BASIC FILING FEE**

Large Entity Code	Small Entity Code	Fee (\$)	Fee Description	Fee Paid
101	710	201	Utility filing fee	355
106	320	208	Design filing fee	
107	490	207	Plant filing fee	
108	710	208	Reissue filing fee	
114	150	214	Provisional filing fee	
SUBTOTAL (1)				355

2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
20	-20** = 0	0	0
4	-3** = 1	40	40
Multiple Dependent		0	0

Large Entity Code	Small Entity Code	Fee (\$)	Fee Description
103	18	203	Claims in excess of 20
102	80	202	Independent claims in excess of 3
104	270	204	Multiple dependent claim, if not paid
109	80	209	** Reissue independent claims over original patent
110	18	210	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)

40

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity Fee Code	Small Entity Fee Code	Fee (\$)	Fee Description	Fee Paid	
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for ex parte reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,640*	113	1,640*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	390	216	195	Extension for reply within second month	
117	690	217	445	Extension for reply within third month	
118	1,390	218	695	Extension for reply within fourth month	
128	1,890	228	945	Extension for reply within fifth month	
119	310	219	155	Notice of Appeal	
120	310	220	155	Filing a brief in support of an appeal	
121	270	221	135	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,240	241	620	Petition to revive - unintentional	
142	1,240	242	620	Utility issue fee (or reissue)	
143	440	243	220	Design issue fee	
144	600	244	300	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	60	123	60	Processing fee under 37 CFR 1.17(q)	
126	180	126	180	Submission of Information Disclosure Sheet	
561	40	561	40	Recording each patent assignment per property (times number of properties)	
148	710	248	355	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	710	249	355	For each additional invention to be examined (37 CFR § 1.129(b))	
179	710	279	355	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)

0

SUBMITTED BYName (Print Type) **Wendy K. Marsh**

Registration No. (Attorney/Agent)

39,705

Complete if applicableTelephone **515-288-3667**

Signature

Wendy K. Marsh

Date

4/26/01

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

PATENT APPLICATION SERIAL NO. _____

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE
FEE RECORD SHEET

05/01/2001 AZERGB1 00000019 09843219

01 FC:201	355.00 OP
02 FC:202	40.00 OP

PTO-1556

(5/87)

U.S. GPO: 2000-489-887/39595

PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: **Mail** Mail Stop ISSUE FEE
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
or Fax (571) 273-2885

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

340E2 7590 09/22/2005

ZARLEY LAW FIRM P.L.C.
 CAPITAL SQUARE
 400 LOCUST, SUITE 200
 DES MOINES, IA 50309-2350

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

Certificate of Mailing or Transmission
 I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

Jennifer Graham (Depositor's name)
 Jennifer Graham (Signature)
 12/21/2005 (Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/843,219	04/26/2001	Lyle Theisen	P04822US0	8367

TITLE OF INVENTION: THERMOCHROMIC/PHOTOCHROMIC COSMETIC COMPOSITIONS

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1400	\$300	\$1700	12/22/2005

EXAMINER	ART UNIT	CLASS-SUBCLASS
YU, GINA C	1617	424-401000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

- ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.
☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.

2. For printing on the patent front page, list

- (1) the names of up to 3 registered patent attorneys or agents OR, alternatively,
 (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

Lyle Theisen

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Dryersville, IA

Please check the appropriate assignee category or categories (will not be printed on the patent): ☒ Individual ☐ Corporation or other private group entity ☐ Government

4a. The following fee(s) are enclosed:

- ☒ Issue Fee
☒ Publication Fee (No small entity discount permitted)
☐ Advance Order - # of Copies _____

4b. Payment of Fee(s):

- ☒ A check in the amount of the fee(s) is enclosed.
☐ Payment by credit card. Form PTO-2038 is attached.
☒ The Director is hereby authorized by charge the required fee(s), or credit any overpayment, to Deposit Account Number 50-2648 (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

- ☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

The Director of the USPTO is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above. NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature _____

Date 12/21/2005

Typed or printed name Timothy J. Zarley

Registration No. 45,253

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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DATE 12/21/05 33-17-730

PAY
TO THE
ORDER OF

Commissioner for Patents

\$1700⁰⁰/₁₀₀One thousand seven hundred dollars & ⁰⁰/₁₀₀

DOLLARS

Bank of America.

Cambla/Theisen

ACH FWT 073000176

FOR govt issue/pub fee US\$N: 09/843,219

December 21, 2005

Attorney Docket No. P04822US0
(Cambla)

INVENTOR: Lyle Theisen
TITLE: THERMOCHROMIC/PHOTOCHROMIC COSMETIC COMPOSITIONS
US Serial No. 09/843,219

Please acknowledge receipt of the following:

PART B - FEE(S) TRANSMITTAL FORM
Check for \$1,700.00

1 pg.

TJZ/jlg